

109TH CONGRESS
2D SESSION

H. R. 6118

To amend title XVIII of the Social Security Act to permit a physician assistant, when delegated by a physician, to order or provide post-hospital extended care services, home health services, and hospice care under the Medicare Program.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 2006

Mr. HAYWORTH introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XVIII of the Social Security Act to permit a physician assistant, when delegated by a physician, to order or provide post-hospital extended care services, home health services, and hospice care under the Medicare Program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medicare Physician
5 Assistant Continuity of Care Act of 2006”.

1 **SEC. 2. PERMITTING PHYSICIAN ASSISTANTS WHEN DELE-**
2 **GATED BY A PHYSICIAN TO ORDER OR PRO-**
3 **VIDE POST-HOSPITAL EXTENDED CARE SERV-**
4 **ICES, HOME HEALTH SERVICES, AND HOS-**
5 **PICE CARE UNDER THE MEDICARE PRO-**
6 **GRAM.**

7 (a) POST-HOSPITAL EXTENDED CARE SERVICES.—
8 Section 1814(a)(2) of the Social Security Act (42 U.S.C.
9 1395f(a)(2)) is amended, in the matter before subpara-
10 graph (A)—

11 (1) by inserting “or a physician assistant as
12 delegated by a physician” after “a physician” the
13 first place it appears; and

14 (2) by inserting “a physician assistant as dele-
15 gated by a physician,” after “a physician,” the sec-
16 ond place it appears.

17 (b) HOME HEALTH SERVICES.—

18 (1) UNDER PART A.—Section 1814(a)(2)(C) of
19 such Act (42 U.S.C. 1395f(a)(2)(C)) is amended—

20 (A) by inserting “by a physician or by a
21 physician assistant as delegated by a physi-
22 cian,” after “established”; and

23 (B) by inserting “or a physician assistant
24 as delegated by a physician” after “a physi-
25 cian” each place it appears.

(2) UNDER PART B.—Section 1835(a)(2) of such Act (42 U.S.C. 1395n(a)(2)) is amended—

(A) in the matter before subparagraph (A), by inserting “or a physician assistant as delegated by a physician,” after “a physician”; and

(B) in each of clauses (ii) and (iii) of subparagraph (A)(ii), by inserting “or a physician assistant as delegated by a physician” after “a physician”.

(c) HOSPICE CARE.—

(1) CERTIFICATION OF TERMINAL ILLNESS.—Section 1814(a)(7)(A) of such Act is (42 U.S.C. 1395f(a)(7)(A)) is amended—

(A) in clause (i)(I), by inserting “or a physician assistant as delegated by such attending physician” after “nurse practitioner”; and

(B) in clause (ii), by inserting “or physician assistant” after “physician”.

(2) INCLUDING PROFESSIONAL SERVICES OF PHYSICIAN ASSISTANT.—Section 1861(dd)(1)(F) of such Act (42 U.S.C. 1395x(dd)(1)(F)) is amended by inserting after “physicians’ services” the following: “and services which would be physicians’ services if furnished by a physician (as defined in subsection (r)(1)) and which are performed by a

1 physician assistant under the supervision of a physi-
2 cian (as so defined) and which the physician assist-
3 ant is legally authorized to perform in the State in
4 which the services are performed”.

5 (d) **EFFECTIVE DATE.**—The amendments made by
6 this section shall apply to services furnished on or after
7 January 1, 2007.

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